

**TENNESSEE GENERAL ASSEMBLY  
FISCAL REVIEW COMMITTEE**



**FISCAL NOTE**

**HB 2752 - SB 2665**

February 11, 2010

**SUMMARY OF BILL:** Effective July 1, 2010, any conveyance of real or personal property used in the commission of a sexual offense committed against a minor or an offense regarding sexual exploitation of children is subject to judicial rather than administrative forfeiture.

**ESTIMATED FISCAL IMPACT:**

**Increase State Expenditures – Not Significant**

**Increase Local Expenditures – Not Significant**

**Assumptions:**

- Currently any conveyance of real or personal property used in the commission of a sexual offense, if the offense is committed against a minor, or an offense regarding sexual exploitation of children is subject to administrative forfeiture. Under judicial foreclosure all right, title, and interest in the property is subject to forfeiture and vests immediately upon the commission of the act giving rise to the forfeiture. This bill does not change the disposition of proceeds.
- According to the Secretary of State's office, the administrative law judges have not heard a single case concerning the forfeiture of property from a sex crime because such forfeitures were not assigned to any state department to prosecute such proceedings.

- After July 1, 2010, these cases will be heard in the circuit, chancery, or general sessions court of the county in which such property is located rather than by an administrative law judge. Any increase in state and local expenditures for these additional cases is estimated to be not significant and can be accommodated within existing judicial resources.

**CERTIFICATION:**

The information contained herein is true and correct to the best of my knowledge.

A handwritten signature in black ink, reading "James W. White". The signature is fluid and cursive, with the first name "James" written in a larger, more prominent script than the last name "White".

James W. White, Executive Director

/lsc